

Town of Spring Lake  
Regular Meeting of the Board of Aldermen  
Municipal Building  
300 Ruth Street  
Spring Lake, NC 28390

<sup>RLW</sup>  
August 26, 2018 <sup>9</sup>

**MINUTES**

7 p.m.

The Spring Lake Board of Aldermen held a regular scheduled meeting in the Grady Howard Conference Room of the Spring Lake Municipal Building with Mayor Larry Dobbins presiding.

**Board Members Present:** Mayor Pro Tem O'Garra  
Alderman James Christian  
Alderwoman Soña Cooper  
Alderwoman Jackie Jackson  
Alderwoman Fredricka Sutherland

**Others Present:**

Ellis Hankins, Town Attorney  
Jay Graves, Recreation Director  
Doris Snider, Senior Center Director  
Jason Williams, Fire Chief

Tim Garner, Water Resources Director  
Jimmy Hall, Inspections Supervisor  
Claiburn Watson, Finance Director  
Rhonda D. Webb, Interim Town Manager/Town Clerk

**2. Invocation**

Alderwoman Sutherland gave the invocation.

**3. Pledge of Allegiance**

Mayor Dobbins led the meeting in the pledge of allegiance.

**4. Additions or Deletions to Agenda**

The Board added a presentation by Cape Fear Cert as item 8d.

**5. Approval of Agenda**

The Board approved the agenda as amended.

**Action:** The Board approved a motion to approve the agenda with the addition on it.

**Motion by:** Mayor Pro Tem O'Garra

**Second by:** Alderwoman Jackson

**Vote:** Unanimous

(A copy of the Agenda is hereby incorporated by reference and made a part of these minutes – see attachment one.)

**6. Approval of Consent Items**

The Board approved the consent items:

- a. Minutes of the August 12, 2019 Regular Meeting
- b. Minutes of the August 19, 2019 Special Meeting

c. Bank Signature Card Changes

**Action:** The Board approved a motion to approve the consent items: Minutes of August 12, 2019 Regular Meeting, Minutes of the August 19, 2019 Special Meeting and Bank Signature Card Changes.

**Motion by:** Alderwoman Sutherland

**Second by:** Mayor Pro Tem O'Garra

**Vote:** Unanimous

**7. Public Forum**

Mr. Tony Burgess, 208 N. Main Street, stated that something happened at the last Board meeting that was brought to his attention and he feels he needs to speak about it. He stated he does not understand why the Town Manager got fired at the last meeting. He stated he was doing a great job in this Town. He stated this is wrong and the Town has never had this kind of growth. He requested that the Board reinstate the Town Manager if that is possible. He stated he would do the same for any member of the Board.

Mr. Henry Ponder, 1620 Mack Street, spoke concerning the termination of Mr. Gerald. He stated that Mr. Gerald worked to get two grants totaling \$250K for the walking trail and the Mitchley Street sanitation project and he hired an Economic Development to jump start economic development in Spring Lake. He stated all that work has been derailed. He stated Hardee's just closed and we need all the economic development we can get to bring in those jobs. He asked if the Board has considered what their actions have done to prevent economic growth in Spring Lake and stated Town Officials have put their own personal agenda in front of the Town's economic development growth. He stated that it seems there was a lack of communication between the Board of Aldermen and the Town Manager. It was suggested that mediation be considered but the controlling votes did not want that and it made me think there was a personal agenda against Mr. Gerald. Since 2008 there have been 5 Town Managers and 2 Interims. How can we have economic development growth in Spring Lake when we can't keep a Town Manager. For example, on August 19<sup>th</sup> you agreed to hire Mr. Mason as the Interim Town Manager and he respectfully declined. Out of 5 Town Managers, Mr. Gerald was a mover and shaker when it came to economic development. He inquired about the Overlay project for the Downtown area and asked what happened to that project. He cited G.S. 160A-47 and stated the Board of Aldermen is the check and balance. He stated that he heard a rumor around Town that the Board of Aldermen is in turmoil and stated the drama happening with this Board is indicative of the TV shows Greenleaf, The Have and The Have Nots, Queen Sugar, The Saints and Sinners and Ambition all wrapped up in one. Citizens deserve Board Members who will work as a team to improve the quality of life for the residents and bring economic development into the Town, which brings jobs. Know that we will hold you accountable for your actions in every sense of the word.

Dr. Stanley Sandler, 507 S. 5<sup>th</sup> Street, asked about the borrow pit. He stated he is grateful that the trucks no longer run on the weekends but all day long they are in and out of there and the residents in that area have been living with this for 10 years. He inquired about the future plans for it and stated he would like to know what will be done with it.

Mr. Wilber Bell, 445 Shoreline Drive, Fayetteville, NC, spoke on behalf of Mr. Billy Manning and stated that no one has contacted them about what facility to name after Mr. Manning. He stated that the family talked about this and wants to request that the Bridge be named after Mr. Manning. He stated someone of Mr. Manning's character should have something named after him that can be seen by many people. He asked the Board to reconsider and give them the consideration of having the privilege of what they want to be dedicated to him.

**8. Presentations**

**a. Introduction of New Fire Department Officers (Promoted Firefighters)**

Chief Williams introduced Matt Bain was promoted to Lieutenant on A Shift, Brandon Fitzhugh was promoted to Lieutenant on B Shift, and Tommy Elder was promoted to Captain of B Shift.

**b. Police Department Recruitment**

Chief McDuffie stated it is a very challenging time trying to find candidates but Law Enforcement is still a promising career. The Police Department is looking at a new strategy for filling vacancies. Currently we have about 7 vacancies. He reported the County Sheriff's Department is down about 50 officers and the City of Fayetteville is recruiting. He stated all law enforcement agencies are drawing from the same pool and that makes it more difficult. He stated Spring Lake is trying to follow the model that the County and Fayetteville are using. Larger agencies hire their candidates. They vet them and put them through Basic Law Enforcement Training (BLET). Spring Lake currently only hires those who have graduated from BLET which shrinks the pool of candidates. He stated they are in the early stages of creating a proposal to bring back before the Board. He wants to hire vetted candidates who have no experience and pay them while they are going through BLET. Once they successfully complete BLET, they would owe the Town two years of service. He stated he believes this is the only way we can competitively compete.

Mayor Pro Tem O'Garra stated the police officers you have right now are pretty friendly, they get along with everyone and have learned the community. He does not want just anyone coming in and feels they will have to weed out people who would be trouble. Chief McDuffie stated that we would vet the officers, they would have to successfully complete BLET. Mayor Pro Tem O'Garra stated that he has spoken with Sheriff Wright and the Sheriff's Department has the same problem.

Alderwoman Sutherland expressed concern about the experience of the officers and stated that our officers received a high increase amount in the decompression implementation. She stated she wants to make sure that the officers we get are experienced. We need good, honest officers who will do the job. Chief McDuffie clarified how the hiring process will be. He stated we will require them to stay with Spring Lake for at least two years. Officers have to go through a 13-week training process with the Department. He stated we are losing officers to other agencies because of salary. Spring Lake starts officers out at almost \$35,000. Fayetteville State, Hope Mills, and City of Fayetteville is starting officers around \$38,000. The Special Police starts out around \$37,000. Spring Lake is a training ground and what we hope is to at least have good officers for at least two years.

Alderwoman Cooper asked about job fairs and if the Police Department goes to them. Chief McDuffie stated we can go to the job fairs but currently we require candidates with BLET certifications. He stated if we implement this program, we could go to job fairs to find candidates. He stated the larger agencies recruit and put the candidates through BLET and we cannot do that right now. She asked if we post the jobs on the League's website and he stated he would leave that up to HR.

Alderman Christian requested clarification on how the program would work as far as pay and Chief McDuffie stated that we would pay the person a reduced salary while they go through the academy and after completion of BLET we would bring them up to the beginning salary.

Alderwoman Jackson stated that she likes the proposed program because that is an investment. The Police Department has been very proactive and strong in acclimating new recruits to the community.

Alderwoman Sutherland stated that Spring Lake's salaries are very competitive with the surrounding towns. She stated Fayetteville's starting salary is \$34,000 and depending on experience it goes up to \$59,000. She stated that since we are competitive with Fayetteville and the surrounding areas if we do the right recruiting, we will be on our way.

Mayor Pro Tem O'Garra asked Chief McDuffie to repeat the salaries of the surrounding areas. Chief McDuffie stated that he was giving approximate numbers and even if we are below some of the other departments, we can still compete with them. It is just a matter of what we give back to these officers, like vehicle take home program, body cameras, equipment, etc. We just need to think outside the box. Mayor Pro Tem O'Garra requested the Chief to repeat what he stated earlier about the Sheriff's Department and the others. Chief McDuffie stated Hope Mills, Fayetteville State and the City of Fayetteville starts out at approximately \$37,000 - \$38,000 and we are not quite there yet. Mayor Pro Tem O'Garra asked what we start out at and Chief McDuffie stated we are not at \$35,000 yet.

Alderwoman Cooper stated that she likes the idea of BLET recruiting and asked what happens if we invest in someone and they do not complete BLET. She requested a breakdown of what the money would be and the amount we would need.

Mr. Hankins stated this is a growing challenge for Spring Lake and towns this size. If done right this seems to be a sound and innovative way to improve our situation. It is a matter of recouping the money if a person is hired and does not complete the program or if they leave prior to the two years. We can draft an agreement that would provide some stiff incentives to stay and honor the period of employment and if not, pay back the money for the training.

Mayor Dobbins stated he has five points to make. #1, the Chief's position is exploratory and the details can be worked out; #2, you are looking at a Chief who left the military with no police training and you are the Chief of a Police Department; #3, I was in the bank the other day and a person who majored in criminal justice is my banker, which means somebody gave him a chance to get some training; #4, the teacher that we trust our kids to don't necessarily have a teaching degree but they enter the school house under lateral entries; #5 back to the Chief's point, they are now recruiting teachers, military men and women leave the military and can find great jobs in the schoolhouse where our most precious loved ones are entrusted from the teacher assistant to the administrator.

**d. Town Attorney Report on Cumberland County Planning Director Selection Process**

Mr. Hankins reported that he served on behalf of the Town of Spring Lake on the assessment center process, at the invitation of the County Manager, to help inform her decision about who she is going to appoint to the position of the Planning Director. She has a number of well qualified candidates and it was a sound process and I am sure the County will wind up with a very capable County Planning Director.

**e. Cape Fear CERT**

Lloyd Evans, Regina Evans and Terra Wright, Cape Fear Community Emergency Response Team (CERT). Cumberland County Emergency Services and the City of Fayetteville Emergency Management Department jointly announced the formation of the Cape Fear CERT last week. The existing Hope Mills CERT and other community groups from across the county merged to form this new team. A CERT is made up of volunteers trained to respond to a community's immediate needs in the aftermath of a disaster. Cape Fear CERT is sponsored by the County's Emergency Services Department and is governed by a board of directors. There are 85 CERTs in 47 counties in North Carolina. They are doing the greatest good for the greatest number.

**9. New Business**

**a. Third Street Sidewalk Project Update**

Mr. Thomas Perdue, MacConnell and Associates, explained the Board of Aldermen conditionally approved the bid award to Sandhills Contracting for the Third Street Sidewalk project in June. They put together a concurrence and award and submitted it to NCDOT. At that time, NCDOT identified that Sandhills was using a subcontractor that did not meet the DBE status and they were not registered as a DBE. General contract provisions require this

contractor/subcontractor be registered as a DBE at the time of the bid opening. They requested the submission of a good faith effort which is included in the packet. The next step in this process is to approve or deny the good faith effort by Sandhills. If approved, the project will continue with Sandhills as the contractor and if denied the next lowest bidder will be selected. The Town will be responsible for the additional costs. FAMPO is providing some funding for this project with initial funding in the amount of \$226,460 for construction and the Town's portion of that is 20% or \$45,292. Sandhill's bid was for \$201,805.76. the Town's portion of that is \$40,361.15. Hollins bid was \$242,384 plus Duke Energy's \$2,094.74 for a total of \$244,478.76. The Town's portion would be \$63, 310.76. That makes the difference \$22,949.61. There is an option to remove a portion of the project to get the cost down but that would mean deleting 220 linear feet of sidewalks and two curb ramps between Poe Avenue and Wilson Avenue.

**Action:** The Board approved a motion to postpone this item to the September 9<sup>th</sup> meeting.

**Motion by:** Alderman Christian

**Second by:** Alderwoman Cooper

**Vote:** 4-1

Yes

Alderman Christian

Alderwoman Cooper

Alderwoman Jackson

Alderwoman Sutherland

No

Mayor Pro Tem O'Garra

(A copy of the Agenda Memo and Bid Tabulation Sheet is hereby incorporated by reference and made a part of these minutes – see attachment two.)

**b. Ordinance (2019) 7, Amendment to Budget Ordinance Appendix B**

Mr. Hall stated he needs assistance in the area of Code Enforcement and requested an additional position in the Inspections Department for another Code Enforcement Officer. He explained that our current Code Enforcement Officer was called to active duty for approximately 400 days and stated it has been hard to find someone who wants to work a temporary job knowing it will end in a year.

Alderwoman Sutherland stated she believes we need to contract for this position instead of adding another position. Mayor Pro Tem O'Garra stated that he agrees we should bring someone on as a contract.

**Action:** The Board approved a motion to approve this position.

**Motion by:** Alderwoman Cooper

**Second by:** Mayor Pro Tem O'Garra

**Vote:** Unanimous

(A copy of the Agenda Memo, Appendix B with Changes Noted and Ordinance (2019) 7 is hereby incorporated by reference and made a part of these minutes – see attachment three.)

**c. Rider Rules of Conduct, Spring Lake Transit System**

Ms. Webb explained that the Town was supposed to adopt Rules of Conduct that the riders of the Spring Lake Transit System are supposed to abide by. It was discovered that we have not done that and this provides the Board of Aldermen the opportunity to adopt the rules to help keep orderly conduct and safety on the Bus. She reported that this past week an intoxicated person was riding the bus and causing problems. These rules provide a list of prohibited behaviors and also provides for possible punitive measures should someone violate the rules after being warned.

**Action:** The Board approved a motion to approve the Rider Rules of Conduct for the Spring Lake Transit System with the amendment of minors under 13 years of age

**Motion by:** Alderwoman Sutherland

**Second by:** Mayor Pro Tem O'Garra

**Vote:** Unanimous

(A copy of the Agenda Memo and Rider Rules of Conduct for Spring Lake Transit System is hereby incorporated by reference and made a part of these minutes – see attachment four.)

**d. Discussion, Donation Boxes**

Alderwoman Cooper expressed concerns about the donation boxes around Town. She suggested that we make an Ordinance amendment to require them to be enclosed. Mayor Pro Tem O'Garra stated that he believes they need to be removed from the Town totally. Alderwoman Sutherland requested that we look into an Ordinance and bring something back at a future Board meeting. The Board tasked the Interim Town Manager and the Attorney to figure out the best way to handle this issue.

**e. Discussion, Posting the Town Manager Position**

Mr. Hankins stated that he requested this item so that the Board could determine how they want to proceed. He stated he suggested that they Board have a discussion regarding what they want in a Town Manager. Possibly get some citizen input.

Alderwoman Sutherland stated there is a process in hiring a Town Manager. She stated that the Board has always included citizens input in the process.

**f. Discussion, Forensic Audit**

Alderwoman Cooper stated that in light of things that have been discovered she believes we need an audit. Mayor Pro Tem O'Garra and Alderwoman Jackson stated that they need to know specifically what we need to look at. Alderwoman Sutherland stated that there are contracts that the Board members did not know about and we need to find out if there are others. Mayor Pro Tem O'Garra stated that he has no problem having this audit but he just wants to know what it is about. Mr. Hankins stated that State law requires every Town to have an independent audit performed each year. Mr. Watson stated the audit is under way. He stated that if there are specific matters that they want the independent auditors to look into we just let them know and that is what they do and they report to the Board. Alderman Christian proposed that we take specific concerns to the auditors now and if we have to request a more detailed audit later we can do so.

**10. Closed Session G.S. 143-318.11(a)(3) – Attorney-Client Privilege**

**G.S. 143-318.11(a)(5i) – Property Acquisition**

**G.S. 143-318.11(a)(6) – Personnel**

**Action:** The Board approved a motion to go into Closed Session for G.S. 143-318.11(a)(3) – Attorney-Client Privilege, G.S. 143-318.11(a)(5i) – Property Acquisition and G.S. 143-318.11(a)(6) – Personnel.

**Motion by:** Alderwoman Cooper

**Second by:** Alderman Christian

**Vote:** Unanimous

**Action:** The Board approved a motion that we come back in from Closed Session.

**Motion by:** Alderwoman Cooper

**Second by:** Alderman Christian

**Vote:** Unanimous

**Action:** The Board approved a motion pursuant to the Town Manager's employment contract that we pay out severance in two equal payments, one on September 1<sup>st</sup> and the other on October 1<sup>st</sup>.

**Motion by:** Alderwoman Cooper

**Second by:** Alderman Christian

**Vote:** Unanimous

**Action:** The Board approved a motion to offer the part-time Interim Town Manager position to Mr. Bill Zell.

**Motion by:** Alderwoman Jackson

**Second by:** Alderman Christian

**Vote:** 4-1

Yes

Mayor Pro Tem O'Garra

Alderman Christian

Alderwoman Cooper

Alderwoman Jackson

No

Alderwoman Sutherland

**Action:** The Board approved a motion to begin the process to post to hire a permanent Town Manager.

**Motion by:** Alderwoman Sutherland

**Second by:** Alderwoman Cooper

**Vote:** Unanimous

## 12. Adjournment.

**Action:** There being no further business to come before the Board, the meeting was adjourned at 10:11 p.m.

**Motion:** Alderwoman Jackson

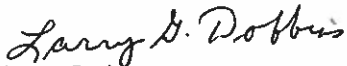
**Second by:** Mayor Pro Tem O'Garra

**Vote:** Unanimous



Rhonda D. Webb, MMC, NCCMC  
Town Clerk

ATTEST:



Larry Dobbins  
Mayor